

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**April 15, 2009**

**DIVISION TWO**

B206146     People  
                 v.  
                 Foster

Filed order modifying opinion. (No change in the judgment)

**DIVISION THREE**

Court convened at 9:30 a.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B210664 DCFS v. A.S.  
B209727 DCFS v. C.J.  
B208249 The People v. Maurice Haylock  
B207962 Sochil Triana Cruz  
B207920 The People v. Gilbert Lopez et al  
B206860 The People v. Jose Roberto Ceja

Argument waived, cause submitted.

B205864     Eveline H. Brownstein  
                 v.  
                 Keith Hagaman

Merits:

Argued by Jeffrey Lee Licht for appellant and by David B. Khan for respondent. Cause submitted.

DIVISION THREE (continued)

B208524     J & J Construction  
              v.  
              Arrow Highway Development Co. LLC

Merits:  
Argued by Peter Kwok for appellant and no appearance for respondent.  
Cause submitted.

B196837     Matthew Katz  
              v.  
              Sam Birenbaum et al

Merits:  
Argued by Arthur Grebow for appellant and by Sam Birenbaum and Mayo  
L. Makarczyk for respondents. Cause submitted.

B208518     Jerry Jamgothchian et al  
              v.  
              City of Manhattan Beach et al

Merits:  
Argued by Karina B. Sterman for appellant and Robert Wadden for  
respondent. Cause submitted.

B208715     Linda Ruttlen  
              v.  
              County of Los Angeles, et al

Merits:  
Argued by Jens B. Koepke for appellants and by Michael Harris for  
respondent. Cause submitted.

Court recessed.

April 15, 2009 (Continued)

DIVISION THREE (continued)

Court reconvened at 1:33 p.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B210409 DCFS v. F.W.  
B205323 The People v. James Randolph Ballesteros  
B203627 The People v. Eddie Sorto  
B210482 DCFS v. J.V. et al  
B200492 The People v. Billy Wayne Blair Jr.  
B200927 The People v. Derrick Dion Brown

Argument waived, cause submitted.

B204532 Steven Markoff et al  
v.  
Vidala Aaronoff

Merits:

Argued by Steven Aaronoff for appellant and by John Kurtz for respondents. Cause submitted.

B206872 Jeanette Cole  
v.  
Blue Cross of California et al

Merits:

Argued by Irving Meyer for appellant and by Michael Lee Gallion and David Van Pelt for respondents. Cause submitted.

DIVISION THREE (continued)

B207721      City of Long Beach  
                 v.  
                 Los Angeles Unified School District

Merits:  
Argued by Gionetta Giovinco for appellant and by R. Bruce Tepper for respondent. Cause submitted.

B203978      Michael E. Jackson M.D.  
                 v.  
                 Melvin Jackson

Merits:  
Argued by David Sherak for appellant and by Lee Ackerman and James D. Murray for respondent. Submission deferred pending the filing of additional supplemental letter briefs.

Court adjourned.

DIVISION FIVE

B211438      Ralph Thompson                      (Not for Publication)  
                 v.  
                 Shigeko Burget

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur:    Armstrong, J.  
                 Mosk, J.

DIVISION SIX

B208005      Baylen, etc., et al.,                      (Not for Publication)  
                 v.  
                 Oxnard Manor, L.P.

The order denying the motion to compel arbitration is affirmed.  
Respondents are awarded costs on appeal.

Yegan, J.

We concur:   Gilbert, P.J.  
                 Perren, J.

B207987      People    (Not for Publication)  
                 v.  
                 Yanez

We affirm the judgment with directions to correct the abstract of judgment to reflect that: (1) the 10-year firearm use enhancement on count 13 is based on section 12022.53, subdivision (b), and (2) a two year concurrent sentence was imposed on count 18 for making criminal threats. The trial court shall transmit the corrected abstract of judgment to the Department of Corrections and Rehabilitation.

Yegan, J.

We concur:   Gilbert, P.J.  
                 Coffee, J.

April 15, 2009 (Continued)

## DIVISION EIGHT

[illegible]

The judgment is affirmed.

Bigelow, J.

We concur: Rubin, Acting P.J.  
Bauer, J. (Assigned)

B205245 Gladys Derricks et al., (Not for Publication)  
v.  
Los Angeles County et al.,

The judgment is affirmed. Each side to bear its own costs on appeal.

Rubin, Acting P.J.

We concur: Bigelow, J.  
O'Neill, J. (Assigned)

B204630      Daily Journal Corporation      (Certified for Publication)  
v.  
County Of Los Angeles  
Metropolitan News Company

For the reasons set forth above, the appeal is dismissed to the extent it seeks an order requiring the County to cancel its contract with Met News and award it instead to Daliy Journal. As for Daily Journal's waste claim, the order sustaining respondents' demurrers without leave to amend and the concomitant judgment of dismissal are affirmed. Respondents shall recover their appellate costs.

Rubin, Acting P.J.

We concur: Flier, J.  
Bauer, J. (Assigned)